

United States Senate
WASHINGTON, DC 20510

November 13, 2013

1120

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler:

As the Federal Communications Commission (FCC) works to finalize rules for the inaugural voluntary incentive spectrum auction, we encourage the FCC to consider the critical role of translators and low-power television stations in delivering over-the-air television to our nation's rural communities. Countless farmers and ranchers, small businesses and families living in remote areas rely on receiving over-the-air television through translators and low-power television stations. With this in mind, we ask the FCC to minimize the impacts of repacking spectrum in rural areas following the upcoming incentive spectrum auction.

In the Middle Class Tax Relief and Job Creation Act (P.L. 112-96), Congress authorized the FCC to conduct the first-ever voluntary spectrum incentive auction. However, the Act did not contain specific provisions regarding the importance of maintaining over-the-air television networks in rural, mountainous or otherwise hard-to-reach areas that depend on translators or low-power television stations. Across our vast prairies and mountain ranges, our constituents rely on over-the-air television to access vital news programming, weather updates, emergency announcements and educational and entertainment content.

Television translators and low-power television stations are deployed across the nation to extend the reach of full-power stations or to provide over-the-air service where it wouldn't exist otherwise. In fact, there are over 4,000 translators across the country and over 2,000 low-power television stations. Furthermore, translators often operate as a network by relaying programming to the hardest-to-reach corners of our country. We implore the Commission to take a careful approach to repacking so as not to upset these carefully constructed daisy chains.

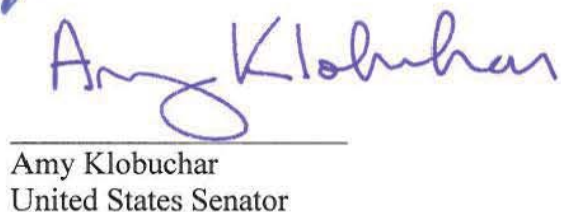
While we recognize that the repacking process will inevitably lead to changes for translators and low-power television stations, we urge the FCC to ensure that access to quality over-the-air television is preserved. Translators and low-power television stations are often owned and operated by small local entities that cannot afford retooling with their limited resources. That's why it is crucial for the FCC to take into account the unique challenges of updating translators and low-power television stations after repacking spectrum.

We believe these important broadcasting issues can be addressed without delaying the spectrum auction as the auction is essential to developing public safety networks and mobile broadband services. We respectfully request a response addressing the efforts of the FCC to ensure the millions of rural viewers in our states are protected. Thank you for your attention to this matter.

Sincerely,



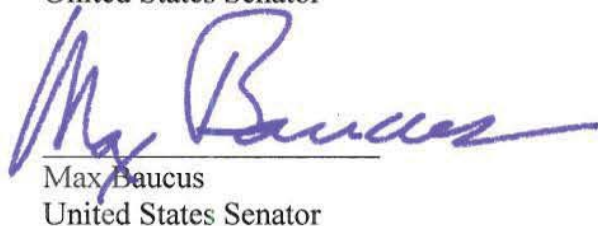
Jon Tester
United States Senator



Amy Klobuchar
United States Senator



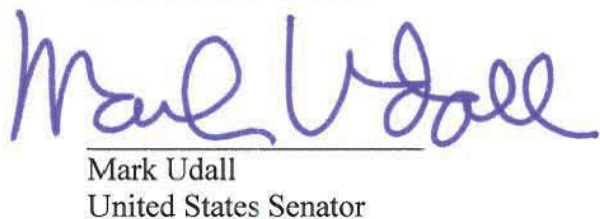
Mark Begich
United States Senator



Max Baucus
United States Senator



Tim Johnson
United States Senator



Mark Udall
United States Senator



Orrin G. Hatch
United States Senator



Deb Fischer
United States Senator



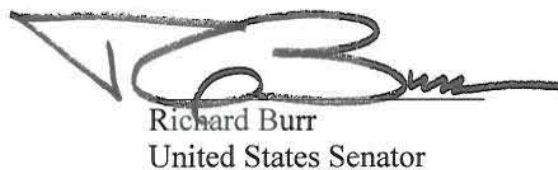
Michael Enzi
United States Senator



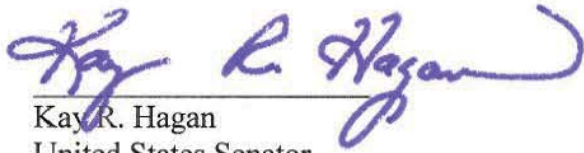
Mike Crapo
United States Senator



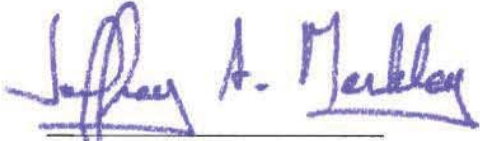
Lisa Murkowski
United States Senator



Richard Burr
United States Senator



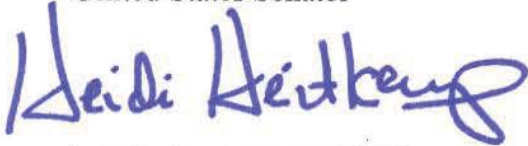
Kay R. Hagan
United States Senator



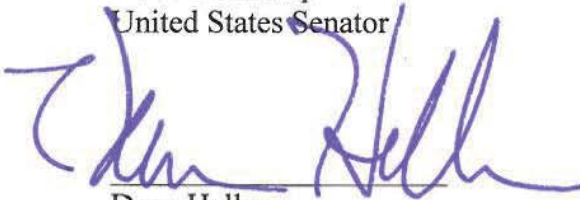
Jeff Merkley
United States Senator



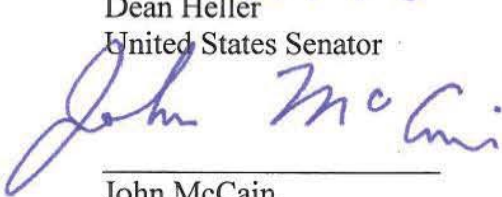
Michael Bennet
United States Senator



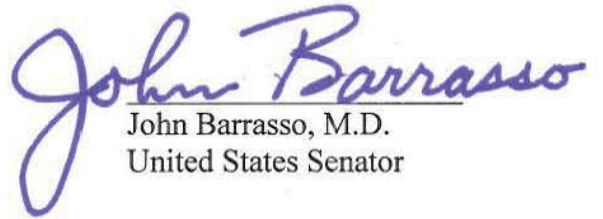
Heidi Heitkamp
United States Senator



Dean Heller
United States Senator



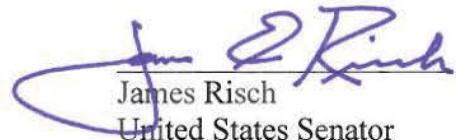
John McCain
United States Senator



John Barrasso, M.D.
United States Senator



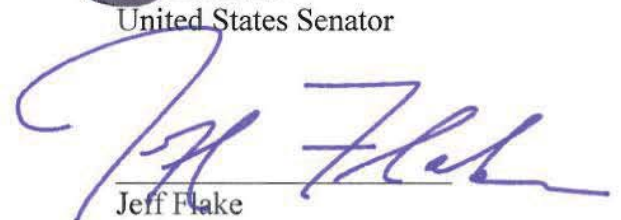
Mike Johanns
United States Senator



James Risch
United States Senator



John Hoeven
United States Senator



Jeff Flake
United States Senator



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Jon Tester
United States Senate
724 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Tester:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

As you acknowledge in your letter, the Spectrum Act does not provide TV translator and LPTV stations new interference protections, or the opportunity to participate as bidders in the incentive auction. Therefore, such stations remain secondary to full power and Class A stations, and could be displaced by primary licensees during the repacking process. However, recognizing the auction's potential impact on TV translator and LPTV stations, the *Incentive Auction Notice of Proposed Rulemaking* requested comment on measures to help ensure that the important programming content that such stations provide continues to reach viewers. Commission staff is considering the range of options presented in the record very carefully.

I also want to be clear that it is not the Commission's intention to maximize the amount of spectrum recovered in rural areas. Rather, our goal is to repurpose a consistent amount of spectrum in the vast majority of the country. It is possible that there may be less spectrum available for new wireless broadband services in certain constrained markets, but we are not contemplating repurposing more spectrum in rural markets as compared to urban markets. Furthermore, because there are often fewer over-the-air broadcasters in rural areas, secondary services in those areas may be able to remain on the air even after repacking is completed.

I plan to present a Report & Order for the full Commission's consideration in the spring, and believe we can conduct a successful auction in the middle of 2015. We are committed to making fact-based policy decisions in an open and transparent manner, and will include your letter in the record of the proceeding.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Orrin G. Hatch
United States Senate
104 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Hatch:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.


As you acknowledge in your letter, the Spectrum Act does not provide TV translator and LPTV stations new interference protections, or the opportunity to participate as bidders in the incentive auction. Therefore, such stations remain secondary to full power and Class A stations, and could be displaced by primary licensees during the repacking process. However, recognizing the auction's potential impact on TV translator and LPTV stations, the Incentive Auction Notice of Proposed Rulemaking requested comment on measures to help ensure that the important programming content that such stations provide continues to reach viewers. Commission staff is considering the range of options presented in the record very carefully.

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Deb Fischer
United States Senate
383 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Fischer:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Mark Begich
United States Senate
111 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Begich:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

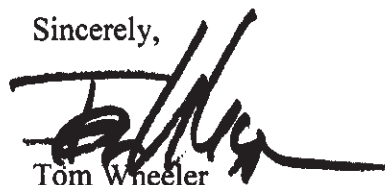
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Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Michael Enzi
United States Senate
379A Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Enzi:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Sincerely,



Tom Wheeler



Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Max Baucus
United States Senate
511 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Baucus:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Sincerely,

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Tom Wheeler



Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Mike Crapo
United States Senate
239 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Crapo:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Tim Johnson
United States Senate
136 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Johnson:

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Sincerely,

Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Lisa Murkowski
United States Senate
709 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Murkowski:

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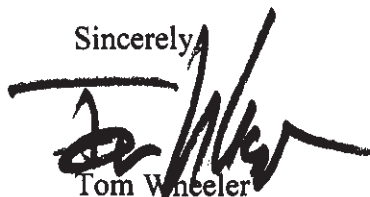
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Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Mark Udall
United States Senate
730 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Udall:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

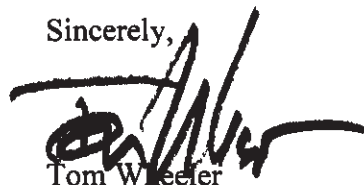
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OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Richard Burr
United States Senate
217 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

As you acknowledge in your letter, the Spectrum Act does not provide TV translator and LPTV stations new interference protections, or the opportunity to participate as bidders in the incentive auction. Therefore, such stations remain secondary to full power and Class A stations, and could be displaced by primary licensees during the repacking process. However, recognizing the auction's potential impact on TV translator and LPTV stations, the *Incentive Auction Notice of Proposed Rulemaking* requested comment on measures to help ensure that the important programming content that such stations provide continues to reach viewers. Commission staff is considering the range of options presented in the record very carefully.

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I plan to present a Report & Order for the full Commission's consideration in the spring, and believe we can conduct a successful auction in the middle of 2015. We are committed to making fact-based policy decisions in an open and transparent manner, and will include your letter in the record of the proceeding.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Kay R. Hagan
United States Senate
521 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Hagan:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

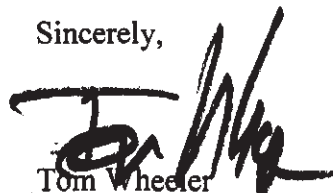
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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable John Barrasso
United States Senate
307 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Barrasso:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Jeff Merkley
United States Senate
313 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Merkley:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Mike Johanns
United States Senate
404 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Johanns:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

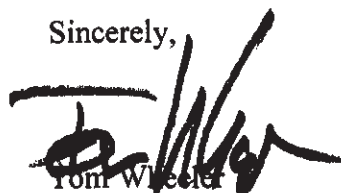
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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Michael F. Bennet
United States Senate
458 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Bennet:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

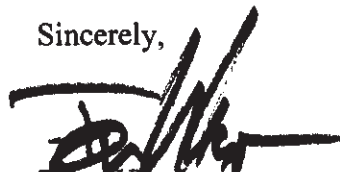
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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable James E. Risch
United States Senate
483 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Risch:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

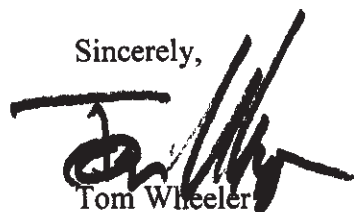
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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Heidi Heitkamp
United States Senate
502 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Heitkamp:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

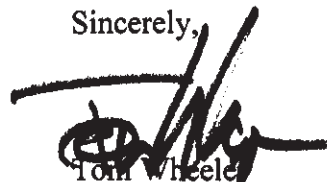
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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable John Hoeven
United States Senate
338 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Hoeven:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

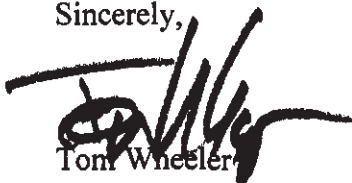
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Sincerely,



Tom Wheeler



OFFICE OF
THE CHAIRMAN

Federal Communications Commission
Washington, D.C.

January 17, 2014

The Honorable Dean Heller
United States Senate
324 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Heller:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

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I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler".

Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

January 17, 2014

The Honorable Jeff Flake
United States Senate
368 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Flake:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

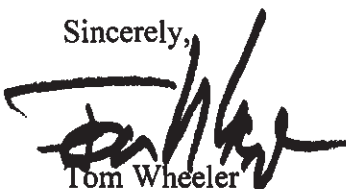
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Tom Wheeler



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

January 17, 2014

The Honorable John McCain
United States Senate
241 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator McCain:

Thank you for your letter regarding the role of TV translators and low-power television (LPTV) stations, and the potential impact that rebanding spectrum following the incentive auction process may have on such stations. Like you, I recognize the role that such stations play in providing information to consumers and businesses in rural communities in particular. Ensuring that consumers emerge as net beneficiaries of the process will be a critical consideration as the Commission determines policies and procedures for the incentive auction.

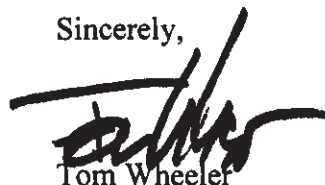
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Tom Wheeler